

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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ANDERSON JOSEPH,

Plaintiff,

-against-

RIKERS ISLAND CORRECTIONAL
FACILITY,

Defendant.

MEMORANDUM AND ORDER
20-CV-6113 (KAM) (MMH)

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KIYO A. MATSUMOTO, United States District Judge:

On December 14, 2020, Plaintiff Anderson Joseph filed this *pro se* action under 42 U.S.C. § 1983 alleging that he was mentally and physically abused while he was incarcerated on Rikers Island. (ECF No. 1, Complaint.) By Memorandum and Order to Show Cause dated June 24, 2021, the Honorable Roslynn R. Mauskopf dismissed the complaint and directed Plaintiff to show cause by written affirmation, within 60 days of the date of the Order, why it would not be futile to grant him leave to amend his complaint. (ECF No. 8.)¹ Plaintiff was warned that if he did not file an affirmation within the time allowed, judgment would enter. Plaintiff was served with Judge Mauskopf's June 24, 2021 Memorandum and Order to Show Cause on June 25, 2021. (See Dkt. Order 6/25/2021.) To date, plaintiff has failed to

¹ The action was reassigned to the undersigned on July 13, 2021. (See Dkt. Order 7/13/2021.)

respond.

Accordingly, the complaint is hereby dismissed. 28
U.S.C. § 1915(e)(2)(B).² The court certifies pursuant to 28
U.S.C. § 1915(a)(3) that any appeal would not be taken in good
faith and therefore *in forma pauperis* status is denied for the
purpose of any appeal. *Coppedge v. United States*, 369 U.S. 438,
444-45 (1962). The Clerk of Court is respectfully directed to
enter judgment, close this case, send a copy of this Order and
the judgment to plaintiff, and note service on the docket.

SO ORDERED.

/s/

KIYO A. MATSUMOTO
United States District Judge
Eastern District of New York

Dated: October 12, 2021
Brooklyn, New York

² The court notes that on September 8, 2021, the Honorable Pamela K. Chen enjoined plaintiff from filing any further *in forma pauperis* actions in the Eastern District of New York without first obtaining leave of court. (See *Joseph v. JRF Income Tax Bus. Svcs.*, No. 21-cv-3869 (PKC), ECF No. 6.)